**Nazaha's Answers to the UN Human Rights Questioner:**

1. **Examples which how anti-corruption efforts can be effectively complemented through the use of human rights standards, methods and mechanisms;**

National Anti-Corruption Commission (Nazaha) efforts are consistent with various human rights standards, methods and mechanisms, as the Commission seeks through its terms of reference the achievement of equality among all members of society and preventing any forms of preferential treatment, regardless of the person's position or social status, and that the principals of accountability shall be applied on every official, regardless of position, in accordance with the regulations in force in the Kingdom of Saudi Arabia. Nazaha aims to provide the appropriate environment for successful implementation of economic, social and cultural development plans. Also, the Commission strives to achieve the highest rates of welfare for citizens and improving living standards, especially for those with limited income, with the provision of suitable job opportunities in the public and private sectors. Furthermore, Nazaha helps in raising awareness and promoting ethical behavior that calls for integrity and combating corruption through various media outlets, in addition to emphasizing the family role in building an anti-corruption community, as well as encouraging general and higher educational institutions to incorporate topics in their curriculum and conduct periodic educational programs that aim at raising awareness on maintaining integrity and combating corruption.

The Kingdom of Saudi Arabia took into account the private ownership of persons and ensure the rights of citizens in health care, education and judicial equality, as clearly stipulated in the Basic Law of Governance.

1. **Examples where national human rights institutions (NHRIs) identified corruption as a cause of human rights violations and effective remedial measures taken;**

The National Anti-Corruption is tasked with combating impunity (for financial and administrative violations and offences) and its Statute includes a number of provisions for enhancing the safeguards against impunity, including those contained in article 3, pursuant to which violations and wrongdoings involving financial and administrative corruption, such as abuse of influence or power, are referred to the control authorities or to the investigation authorities, as the case may be. The matter must also be reported to the person in charge of the entity to which the offending official is attached. The Commission may be briefed about the course of the investigation and monitor the process.

1. **Examples which show how the work of national anti-corruption agencies (ACAs) and NHRIs can be interlinked, substantively, structurally and organizationally;**

The National Anti-Corruption Commission works side by side with Human Rights Commission in seeking the achievement of equality among all members of society, through preventing preferential treatment and accountability for all. Nazaha is responsible for deciding promptly on corruption cases, and the principles of compensation shall be applied for the benefit of those whom their rights and interests have been infringed upon by corruption. Other concerned government entities shall prepare periodic statistics and reports on the problems of corruption, denoting its magnitude, causes, forms and proposed solutions, as well as identifying drawbacks and obstacles that impede the application of laws and measures relating to maintaining integrity and combating corruption. Also, it is required that officials in executive positions with direct contact with the public to be qualified and pleasant when dealing with the public, and direct department heads to give due attention to citizens files and supervise their employees so as to avoid creating unnecessary obstacles, all of this is stipulated in the National Strategy for Maintaining Integrity and Combating Corruption.

The Human Rights Commission, in accordance with its competence, receive complaints containing human rights violations, after validation process the necessary legal procedures will be taken in this regard. The National Anti-Corruption Commission and the Human Rights Commission are two independent entities, financially and administratively, each with its own statute.

On a related matter, the Kingdom has taken several measures aimed at ensuring transparency and equality in government procurement, for example, the issuance of the Government Tenders and Procurement Law, as Article (1) of the Law provides the following: **‘‘**regulating procedures of tenders and procurements carried out by government authorities and ensuring they are not influenced by personal interest in order to protect the public funds; promoting honesty and competition and ensuring fair treatment of suppliers and contractors in accordance with the principle of equal opportunities; guaranteeing transparency in all stages of government tender and procurement procedures. **’’**The Kingdoms also established the E-Government Procurement Portal, an essential national e-project represented by the Ministry of Finance, the Portal will ensure the consolidation and facilitation of government tenders and procurement procedures in all government sectors, as well as supporting the principles of transparency and integrity between government entities and suppliers, in addition to facilitating the procedures for suppliers and giving governmental entities access to a large number of verified supply companies, which will have the positive effect of increasing the spirit of competition and quality between them.

1. **Examples of engagement with regional and international human rights mechanisms that brought about change in anti-corruption efforts;**

Saudi Arabia laws and regulations took into account human rights, where it contains several elements considered to be among the main principles of human rights, such as having an independent judiciary system, freedom of expression, accountability, and other civil society contributions to the protection of integrity and combating corruption.

Article (8) of the Basic Law of Governance provides that **‘‘**Governance in the Kingdom of Saudi Arabia shall be based on justice, shura (consultation), and equality in accordance with the Islamic Shari'ah. **’’**Article (26) provides that **‘‘**The State shall protect human rights in accordance with the Islamic Shari'ah. **’’**Article (46) provides that **‘‘**The Judiciary shall be an independent authority. There shall be no power over judges in their judicial function other than the power of the Islamic Shari'ah.**’’**

The National Strategy for Maintaining Integrity and Combating Corruption involved the contributions of civil society institutions in maintaining integrity and combating corruption. The Strategy also emphasized on preventing any forms of preferential treatment, regardless of the person's position or social status, and that the principals of accountability shall be applied on every official, regardless of position, in accordance with the regulations in force in the Kingdom of Saudi Arabia, in addition to deciding promptly on corruption cases, and the principles of compensation shall be applied for the benefit of those whom their rights and interests have been infringed upon by corruption, as well as affirming to government officials that transparency is an effective mean for combating corruption and that adopting said principle as a practice and moral stance shall give government activities credibility and respect.

1. **Examples of the incorporates of human rights considerations in self-assessment of implementation of the United Nations Convention against Corruption;**

As a response to Paragraph (1) of Article (26) of the United Nations Convention Against Corruption, came Article (147) of the Criminal Procedure Law which provides that **‘‘**A person harmed by a crime and his heirs shall, at any time during the proceedings of the case in issue, be entitled to submit a request to the trial court regarding his private right of action regardless of the amount thereof, even if they did not accept his request during investigation. **’’**With regard to the confiscation of proceeds of crime contained in paragraph (1/A) of Article (31) of the UNCAC, comes Article (3) of the Royal Decree No. (43) that **‘‘**in addition to previously mentioned penalties in the Article above, those found guilty are obliged by court to properly compensate those whom they harmed, by returning the amounts taken unlawfully and illegitimately to them. **’’**

Article (11) of the Imprisonment and Detention Law provides that "If the convict stay exceeded four years in prison, prior to release, the convict must go through an integrated transitional period aimed at facilitating integration into society. In addition to the role of the National Committee for the Welfare of Prisoners and their Families, which aims to work on reform programs in prisons to help prisoners to amend the course of their lives, all of this is consistent with Paragraph (10) of Article (30) of the UNCAC, which provides that **‘‘**States Parties shall endeavor to promote the reintegration into society of persons convicted of offences established in accordance with this Convention. **’’**

1. **Examples of successful human rights litigation, or of investment disputes or civil law cases where human rights arguments played a decisive role, in corruption cases;**

Laws in Saudi Arabia adhere to providing to justice against human rights violations and corruption cases via certain measures of investigating reports and individuals complaints. Besides, several governmental bodies are granted powers of supervision to assure absence of impunity. Measures of investigation and judicial examination, which are based on guaranteeing the individuals’ rights, are the most used national tools to address such cases.

1. **Good practices for safeguarding human rights while combating corruption, in particular with regard to: a) the criminalization of corruption, b) the detection and investigation of corruption, c) the prosecution and judicial processing and d) in the recovery of illicit assets;**

The National Strategy for Maintaining Integrity and Combating Corruption states that the emergence and spread of new concepts, forms, and methods of corruption require continuous review and evaluation of policies, plans, regulations, procedures and programs set to combat this dangerous phenomenon. The Strategy aims to maintain integrity and combat corruption in all its forms and achieve equality among all members of society, it also emphasize on preventing any forms of preferential treatment, regardless of the person's position or social status, and that the principals of accountability shall be applied on every official, regardless of position, in addition to deciding promptly on corruption cases, and the principles of compensation shall be applied for the benefit of those whom their rights and interests have been infringed upon by corruption. Nazaha aims to protect integrity and combat corruption through pursuing the implementation of orders and directives relating to matters of public concern and interests of citizens to ensure compliance therewith. Also, through referring violations and irregularities related to financial or administrative corruption - upon detection - to audit or investigation agencies, as applicable, and report the same to the head of the entity with which the violating employee is affiliated. The Commission shall have access to the investigation and the right to follow-up on progress of proceedings. It shall also have the right to demand the relevant entities to take precautionary or preventive measures - as prescribed by the law - against persons suspected, due to the presence of evidence or presumptions, of committing acts within the definition of corruption. In all cases, if the Commission deems that such violations and irregularities amount to an institutional level in any entity under the Commission's jurisdiction, it shall report the same to the King to decide thereupon. In addition, Nazaha pursues, with relevant entities, the recovery of property and proceeds of corruption crimes, and provides direct communications channels to receive and verify reports from the public on acts involving corruption. The Commission also cooperate with relevant entities and civil society institutions towards raising the sense of citizenship and the importance of protecting public property to ensure proper management and protection thereof.

1. **Good practices for protection of victims, witnesses, reporting persons, anti-corruption activists, whistleblowers and other persons involved in the fight against corruption which explicitly build on human rights standards;**

The National Anti-Corruption Commission have paid great attention to protecting victims, witnesses, whistleblowers and anti-corruption activists and other persons involved in the fight against corruption, through keeping the confidentiality of all information received from whistleblowers and witnesses, as provided in Paragraph (2) of Article (5) from the Corruption Reporting Regulation Draft Project, that the Commission is required to maintain the confidentiality of the reporter's personal information, at his request, or if the Commission sees so. Article (11) of the same Regulation states that the creditable whistleblower will be protected by the Commission from prosecution under the Whistleblowers Protection Draft Project, unless proven the intention of abusing or harming the entities, officials and employees mentioned in his report, in this case the Commission has the right to hold the whistleblower accountable for his actions.

1. **Good practices for securing the independence and enhancing the effectiveness of ACAs which drew upon the United Nations Paris Principles and practices and modalities for strengthening the independence and effectiveness of NHRIs;**

Legislation in the Kingdom of Saudi Arabia is one of the most important examples and practices that link anti-corruption efforts with achieving protection of human rights, in order to implement these practices, a Royal Decree No. (A/65) dated 18/03/2011, issued to establish the National Anti-Corruption Commission, which competence include all government sectors. The Commission is assigned to follow-up the implementation of orders and directives relating to matters of public concern and citizens interests. There is also several Royal Decrees addressing the entities under the competence of the Commission, which includes the need to provide the Commission with any required information within a maximum period of five days, in addition, the Commission's Statute provides in Paragraph (1) of Article (2) that **‘‘**The Commission shall be report directly to the King, and shall enjoy a corporate personality as well as full financial and administrative independence to ensure performance of its duties with neutrality and without influence from by any entity whatsoever. No person may interfere in the Commission's affairs. **’’**

As with regard to Human Rights Commission, its Statute provides in Articles (1, 2) that it reports directly to the Prime Minister, in addition to full independence in practicing its duties provided by law. Article (5) provides that **‘‘**The Commission Council is the supreme power on which the Commission conduct its affairs, and take all necessary means to achieve objectives mentioned in this Statute. **’’**

1. **Any other issue relevant to the scope of this study, including for instance information on the use of indicators for measuring the negative impact of corruption on human rights or the correlation between corruption and human rights violations and vice versa.**

Laws and regulations in the Kingdom have ensured the human rights are protected, as governance in the Kingdom is based on justice, consultation and equality. The State is obliged to protect human rights in accordance with Islamic Shari'ah, as legal recourse is guaranteed equally to citizens and foreign residents in the Kingdom, while the King or whom he delegate are responsible for executing those judicial decisions. In addition, the Kingdom have enacted regulations concerned with protecting human rights in particular, as there are laws to protect employee/worker and the employer, and laws meant for providing health care and preserving the environment, and laws to ensure rights for accused persons, provided that it is not permissible to imprison or restrict the actions of one, except under specific regulations for that. Also, it is not permissible to enter nor inspect homes without the permission of the owner except in cases specified by law. Article (43) of the Basic Law of Governance provides that **‘‘**The court of the King and of the Crown Prince shall be accessible to every citizen and to everyone who has a complaint or a grievance. Every individual shall have the right to address public authorities in matters of concern to him. **’’**